

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
WHITE PLAINS DIVISION

In re: VJT CONSTRUCTION CORP. § Case No. 17-23516-RDD
§
§
§
Debtor(s) §

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED
AND APPLICATION TO BE DISCHARGED (TDR)**

MARK S. TULIS, chapter 7 trustee, submits this Final Account,
Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: \$300.00	Assets Exempt: N/A
<i>(without deducting any secured claims)</i>	

Total Distribution to Claimants: \$296,470.61	Claims Discharged Without Payment: N/A
---	---

Total Expenses of Administration: \$338,799.64

3) Total gross receipts of \$ 635,270.25 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$635,270.25 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$0.00	\$1,134.03	\$1,134.03	\$1,134.03
PRIORITY CLAIMS:				
CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	0.00	327,092.28	327,092.28	327,092.28
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	0.00	11,707.36	11,707.36	11,707.36
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	0.00	177.20	177.20	177.20
GENERAL UNSECURED CLAIMS (from Exhibit 7)	0.00	481,447.91	481,447.91	295,159.38
TOTAL DISBURSEMENTS	\$0.00	\$821,558.78	\$821,558.78	\$635,270.25

4) This case was originally filed under Chapter 7 on September 29, 2017.
The case was pending for 27 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 09/11/2020 By: /s/**MARK S. TULIS**
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 —GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
Real Property and Building at 364 Washington St.	1122-000	594,516.38
Rent	1222-000	40,500.00
Refund from Superior Payment Plan	1290-000	236.81
Refund of insurance premium	1290-000	17.06
TOTAL GROSS RECEIPTS		\$635,270.25

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 —FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		
TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES			\$0.00

EXHIBIT 3 —SECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
1	New York State Department of Taxation & Finance	4110-000	N/A	1,134.03	1,134.03	1,134.03
	TOTAL SECURED CLAIMS			\$0.00	\$1,134.03	\$1,134.03

EXHIBIT 4 —CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Trustee Compensation - MARK S. TULIS, P.C.	2100-000	N/A	35,013.51	35,013.51	35,013.51
Trustee Expenses - MARK S. TULIS, P.C.	2200-000	N/A	246.29	246.29	246.29

Other - Berkshire Hathaway HomeServices River Towns Real Estate	2500-000	N/A	30,000.00	30,000.00	30,000.00
Other - LAMONICA HERBST & MANISCALCO, LLP	3210-000	N/A	50,081.75	50,081.75	50,081.75
Other - LAMONICA HERBST & MANISCALCO, LLP	3220-000	N/A	961.30	961.30	961.30
Other - JOSEPH A. BRODERICK, P.C.	3410-000	N/A	1,435.00	1,435.00	1,435.00
U.S. Trustee Quarterly Fees - Office of the United States Trustee	2950-000	N/A	975.00	975.00	975.00
Other - Rabobank, N.A.	2600-000	N/A	10.00	10.00	10.00
Other - Rabobank, N.A.	2600-000	N/A	10.00	10.00	10.00
Other - Rabobank, N.A.	2600-000	N/A	8.03	8.03	8.03
Other - J.P. McHalePest Management, Inc.	2420-000	N/A	1,422.07	1,422.07	1,422.07
Other - Rabobank, N.A.	2600-000	N/A	14.44	14.44	14.44
Other - Trustee Resource Group Mi-Kal	2420-000	N/A	3,304.00	3,304.00	3,304.00
Other - Rabobank, N.A.	2600-000	N/A	15.64	15.64	15.64
Other - DCal Construction Company	2500-000	N/A	125.00	125.00	125.00
Other - Eastern Oil Company	2420-000	N/A	1,022.28	1,022.28	1,022.28
Other - Consolidated Edison Company	2420-000	N/A	370.00	370.00	370.00
Other - Alfredos Landscaping & Construction Inc.	2420-000	N/A	343.60	343.60	343.60
Other - Alfredos Landscaping & Construction Inc.	2420-000	N/A	687.20	687.20	687.20
Other - RG Agency	2500-000	N/A	387.61	387.61	387.61
Other - Charlie Stockinger	2500-000	N/A	250.00	250.00	250.00
Other - City of Peekskill	2500-000	N/A	134,114.51	134,114.51	134,114.51
Other - Eastern Oil Company	2420-000	N/A	1,364.28	1,364.28	1,364.28
Other - Department of the Treasury	2810-000	N/A	44,997.00	44,997.00	44,997.00
Other - NYS Corporation Tax	2820-000	N/A	15,198.00	15,198.00	15,198.00
Other - NYS Corporation Tax	2820-000	N/A	4,347.00	4,347.00	4,347.00
Other - MARK S. TULIS, TRUSTEE	2300-000	N/A	388.77	388.77	388.77
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		N/A	\$327,092.28	\$327,092.28	\$327,092.28

EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
PENACHIO MALARA, LLP	6210-160	N/A	9,960.00	9,960.00	9,960.00
PENACHIO MALARA, LLP	6220-170	N/A	1,747.36	1,747.36	1,747.36
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		N/A	\$11,707.36	\$11,707.36	\$11,707.36

EXHIBIT 6 –PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
2P	Department of the Treasury	5800-000	N/A	177.20	177.20	177.20
TOTAL PRIORITY UNSECURED CLAIMS			\$0.00	\$177.20	\$177.20	\$177.20

EXHIBIT 7 –GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
2U	Department of the Treasury	7100-000	N/A	13,491.55	13,491.55	8,271.21
3S	Roger Heumann	7100-000	N/A	464,956.36	464,956.36	285,048.97
3U	Roger Heumann	7100-000	N/A	3,000.00	3,000.00	1,839.20
TOTAL GENERAL UNSECURED CLAIMS			\$0.00	\$481,447.91	\$481,447.91	\$295,159.38

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 17-23516-RDD

Trustee: (520750) MARK S. TULIS

Case Name: VJT CONSTRUCTION CORP.

Filed (f) or Converted (c): 05/30/18 (c)

Period Ending: 09/11/20

§341(a) Meeting Date: 07/05/18

Claims Bar Date: 03/25/19

1 Ref. #	2 Asset Description (Scheduled And Unscheduled (u) Property)	3 Petition/ Unscheduled Values	4 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	5 Property <u>Abandoned</u> OA=§554(a)	6 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Real Property and Building at 364 Washington St. Imported from original petition Doc# 1	600,000.00	500,000.00		594,516.38	FA
2	Checking Account at Checking Account at Chase Ba Imported from original petition Doc# 1	300.00	300.00		0.00	FA
3	Rent (u)	0.00	0.00		40,500.00	FA
4	Refund from Superior Payment Plan (u)	236.81	236.81		236.81	FA
5	Refund of insurance premium (u)	17.06	17.06		17.06	FA
5	Assets Totals (Excluding unknown values)	\$600,553.87	\$500,553.87		\$635,270.25	\$0.00

Major Activities Affecting Case Closing:

1/13/20: A final hearing is scheduled for 2/3/20.

11/7/19: Email TFR to UST

10/28/19: Prepare TFR

1/17/19: A motion to approve sale of debtor's real property is scheduled for 2/11/19..

Initial Projected Date Of Final Report (TFR): December 30, 2020 Current Projected Date Of Final Report (TFR): October 28, 2019 (Actual)

Form 2

Cash Receipts And Disbursements Record

Page: 1

Case Number: 17-23516-RDD

Trustee: MARK S. TULIS (520750)

Case Name: VJT CONSTRUCTION CORP.

Bank Name: Mechanics Bank

Taxpayer ID #: **-**0073

Account: *****6966 - Checking Account

Period Ending: 09/11/20

Blanket Bond: \$68,407,174.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
07/10/18	{3}	Victor Tonndorf	July 2018 rent	1222-000	500.00		500.00
07/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	490.00
08/10/18	{3}	36A Washington Food Corp.	Payment of July rent	1222-000	5,000.00		5,490.00
08/10/18	{3}	36A Washington Food Corp.	Payment of August rent	1222-000	5,000.00		10,490.00
08/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	10,480.00
09/28/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		8.03	10,471.97
10/10/18	{3}	364 Washington Food Corp.	Payment of September 2018 rent	1222-000	5,000.00		15,471.97
10/10/18	{3}	364 Washington Food Corp.	Payment of October 2018 rent	1222-000	5,000.00		20,471.97
10/15/18	101	J.P. McHalePest Management, Inc.	Payment of invoice #1009798 for water clean up at 364 Washington Avenue	2420-000		1,422.07	19,049.90
10/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		14.44	19,035.46
11/26/18	102	Trustee Resource Group Mi-Kal	Installment payments due 10/10/18 & 1/8/19; Policy #RMS4700005	2420-000		3,304.00	15,731.46
11/30/18	{3}	364 Washington Food Corp.	Rent for November 2018	1222-000	5,000.00		20,731.46
11/30/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		15.64	20,715.82
12/04/18	{4}	Superior Payment Plan	Refund	1290-000	236.81		20,952.63
01/04/19	103	DCal Construction Company	Payment for installation of safety plate and blocking	2500-000		125.00	20,827.63
01/08/19	{1}	Hudson Realty Investors, LLC	Deposit for purchase of 364 Washington Street, Peekskill, NY	1122-000	60,000.00		80,827.63
01/14/19	{3}	364 Washington Food Corp.	Rent for December 2018	1222-000	5,000.00		85,827.63
01/14/19	{3}	364 Washington Food Corp.	Rent for January 2019	1222-000	5,000.00		90,827.63
01/23/19	104	Eastern Oil Company	Payment of invoices 186442 & 186896	2420-000		1,022.28	89,805.35
01/31/19	{3}	364 Washington Food Corp.	Reversed Deposit 100008 2 Rent for January 2019	1222-000	-5,000.00		84,805.35
02/15/19	105	Consolidated Edison Company	Payment for electricity at 364 Washington Street, Peekskill, NY	2420-000		370.00	84,435.35
03/04/19	106	Alfredos Landscaping & Construction Inc.	Payment for snow removal and salt	2420-000		343.60	84,091.75
03/08/19	{3}	364 Washington Food Corp.	Rent for January 2019	1222-000	5,000.00		89,091.75
03/19/19	{3}	364 Washington Food Corp.	Rent for February 2019	1222-000	5,000.00		94,091.75
03/28/19	107	Alfredos Landscaping & Construction Inc.	Payment for snow removal	2420-000		687.20	93,404.55
04/03/19	{1}	364 Washington Street LLC	Partial payment of proceeds re: sale of property	1122-000	427,848.23		521,252.78
04/03/19	{1}	Asset Preservation, Inc.	Balance of payment for sale of real property	1122-000	106,668.15		627,920.93
04/03/19	108	RG Agency	Payment of title charges	2500-000		387.61	627,533.32

Subtotals : \$635,253.19 \$7,719.87

Form 2

Cash Receipts And Disbursements Record

Page: 2

Case Number: 17-23516-RDD
Case Name: VJT CONSTRUCTION CORP.
Taxpayer ID #: **-**0073
Period Ending: 09/11/20

Trustee: MARK S. TULIS (520750)
Bank Name: Mechanics Bank
Account: *****6966 - Checking Account
Blanket Bond: \$68,407,174.00 (per case limit)
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 T-Code	6 Receipts \$	7 Disbursements \$	Checking Account Balance
04/03/19	109	Charlie Stockinger	Payment to title closer	2500-000		250.00	627,283.32
04/09/19	110	City of Peekskill	Payment of real estate taxes (364 Washington Street)	2500-000		134,114.51	493,168.81
04/09/19	111	Berkshire Hathaway HomeServices River Towns Real Estate	Payment of broker commission (364 Washington Street) pursuant to court order 2/12/19	2500-000		30,000.00	463,168.81
05/02/19	112	Eastern Oil Company	Payment of invoices 192490 &198250	2420-000		1,364.28	461,804.53
06/05/19	113	Department of the Treasury	Payment of 2019 1120 taxes; EIN: 13-3960073	2810-000		44,997.00	416,807.53
06/05/19	114	NYS Corporation Tax	Payment of 2019 corporation tax; EIN13-3960073	2820-000		15,198.00	401,609.53
06/05/19	115	NYS Corporation Tax	Payment of 2019 MTA surcharge; EIN 13-3960073	2820-000		4,347.00	397,262.53
06/18/19	{5}	MVR Insurance Agency	Refund of insurance premium	1290-000	17.06		397,279.59
06/24/19	116	MARK S. TULIS, TRUSTEE	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 06/19/2019 FOR CASE #17-23516	2300-000		388.77	396,890.82
09/04/19		Transition Transfer Debit		9999-000		396,890.82	0.00

ACCOUNT TOTALS	635,270.25	635,270.25	\$0.00
Less: Bank Transfers	0.00	396,890.82	
Subtotal	635,270.25	238,379.43	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$635,270.25	\$238,379.43	

Form 2

Cash Receipts And Disbursements Record

Page: 3

Case Number: 17-23516-RDD

Trustee: MARK S. TULIS (520750)

Case Name: VJT CONSTRUCTION CORP.

Bank Name: United Bank

Taxpayer ID #: **-**0073

Account: *****1002 - Checking Account

Period Ending: 09/11/20

Blanket Bond: \$68,407,174.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
09/04/19		Transfer from 0061 to 1002	Transfer from 0061 to 1002	9999-000	396,890.82		396,890.82
02/18/20	10117	New York State Department of Taxation & Finance+	Dividend paid 100.00% on \$1,134.03; Claim# 1; Filed: \$1,134.03; Reference:	4110-000		1,134.03	395,756.79
02/18/20	10118	MARK S. TULIS, P.C.	Dividend paid 100.00% on \$35,013.51, Trustee Compensation; Reference:	2100-000		35,013.51	360,743.28
02/18/20	10119	MARK S. TULIS, P.C.	Dividend paid 100.00% on \$246.29, Trustee Expenses; Reference:	2200-000		246.29	360,496.99
02/18/20	10120	LAMONICA HERBST & MANISCALCO, LLP	Dividend paid 100.00% on \$50,081.75, Attorney for Trustee Fees (Other Firm); Reference:	3210-000		50,081.75	310,415.24
02/18/20	10121	LAMONICA HERBST & MANISCALCO, LLP	Dividend paid 100.00% on \$961.30, Attorney for Trustee Expenses (Other Firm); Reference:	3220-000		961.30	309,453.94
02/18/20	10122	JOSEPH A. BRODERICK, P.C.	Dividend paid 100.00% on \$1,435.00, Accountant for Trustee Fees (Other Firm); Reference:	3410-000		1,435.00	308,018.94
02/18/20	10123	Office of the United States Trustee	Dividend paid 100.00% on \$975.00, U.S. Trustee Quarterly Fees; Reference:	2950-000		975.00	307,043.94
02/18/20	10124	PENACHIO MALARA, LLP	Dividend paid 100.00% on \$9,960.00, Attorney for D-I-P Fees (Chapter 11); Reference:	6210-160		9,960.00	297,083.94
02/18/20	10125	PENACHIO MALARA, LLP	Dividend paid 100.00% on \$1,747.36, Attorney for D-I-P Expenses (Chapter 11); Reference:	6220-170		1,747.36	295,336.58
02/18/20	10126	Department of the Treasury	Dividend paid 100.00% on \$177.20; Claim# 2P; Filed: \$177.20; Reference:	5800-000		177.20	295,159.38
02/18/20	10127	Department of the Treasury	Dividend paid 61.30% on \$13,491.55; Claim# 2U; Filed: \$13,491.55; Reference:	7100-000		8,271.21	286,888.17
02/18/20	10128	Roger Heumann	Dividend paid 61.30% on \$464,956.36; Claim# 3S; Filed: \$464,956.36; Reference:	7100-000		285,048.97	1,839.20
02/18/20	10129	Roger Heumann	Dividend paid 61.30% on \$3,000.00; Claim# 3U; Filed: \$3,000.00; Reference:	7100-000		1,839.20	0.00

ACCOUNT TOTALS	396,890.82	396,890.82	\$0.00
Less: Bank Transfers	396,890.82	0.00	
Subtotal	0.00	396,890.82	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$0.00	\$396,890.82	

Form 2
Cash Receipts And Disbursements Record

Case Number: 17-23516-RDD

Trustee: MARK S. TULIS (520750)

Case Name: VJT CONSTRUCTION CORP.

Bank Name: United Bank

Taxpayer ID #: **-**0073

Account: *****1002 - Checking Account

Period Ending: 09/11/20

Blanket Bond: \$68,407,174.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
			Net Receipts : 635,270.25				
			Net Estate : \$635,270.25				
				TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
				Checking # *****6966	635,270.25	238,379.43	0.00
				Checking # *****1002	0.00	396,890.82	0.00
					\$635,270.25	\$635,270.25	\$0.00